

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Robert G. Taub, Acting Chairman;
Nanci E. Langley, Vice Chairman;
Mark Acton; and
Tony Hammond

Competitive Product Prices
Priority Mail & Parcel Select Contract 1
(MC2016-113)
Negotiated Service Agreement

Docket No.CP2016-141

ORDER APPROVING AMENDMENT TO PRIORITY MAIL &
PARCEL SELECT NEGOTIATED SERVICE AGREEMENT

(Issued November 23, 2016)

I. INTRODUCTION

The Postal Service seeks to amend the terms of Priority Mail & Parcel Select Contract 1.¹ The Commission approves the Amendment.

In Order No. 3222, the Commission approved the Priority Mail & Parcel Select Contract 1 negotiated service agreement (Existing Agreement).² On November 22, 2016, the Postal Service filed notice that it has agreed to the Amendment to the Existing

¹ Notice of United States Postal Service of Amendment to Priority Mail & Parcel Select Contract 1, with Portions Filed Under Seal, November 22, 2016 (Notice). The amendment is an attachment to the Notice (Amendment).

² See Docket Nos. MC2016-113 and CP2016-141, Order Adding Priority Mail & Parcel Select Contract 1 to the Competitive Product List, April 8, 2016 (Order No. 3222).

Agreement. The Amendment adds a subsidiary of the Postal Service's existing contract partner to the Existing Agreement. See Notice, Amendment at 1. The Notice states that the amendment will not affect the Existing Agreement's cost coverage. Notice at 1. The Postal Service intends for the Amendment to become effective two business days after the date the Commission completes its review of the filing. *Id.*

II. COMMISSION ANALYSIS

The Commission has reviewed the Notice and the accompanying materials filed under seal.

Cost considerations. The Commission reviews competitive product prices to ensure that each product covers its attributable costs, does not cause market dominant products to subsidize competitive products, and contributes to the Postal Service's institutional costs. 39 U.S.C. § 3633(a); 39 C.F.R. §§ 3015.5 and 3015.7. As long as the revenue generated by the product exceeds its attributable costs, the product is unlikely to reduce the contribution of competitive products as a whole or to adversely affect the ability of competitive products as a whole to contribute an appropriate share of institutional costs. In other words, if a product covers its attributable costs, it is likely to comply with 39 U.S.C. § 3633(a).

The Amendment does not affect the cost coverage or compliance with existing regulatory requirements for the Existing Agreement. The Commission finds that the Existing Agreement, as amended, comports with the provisions applicable to rates for competitive products in 39 U.S.C. § 3633(a) and 39 C.F.R. § 3015.7.

Other considerations. The Postal Service states that the Amendment shall become effective two business days after the date that the Commission completes its review. Notice at 1. The Existing Agreement, as amended, is to expire three years after the initial effective date unless, among other things, either party terminates the

contract with 30 days' written notice to the other party or it is renewed by mutual agreement.³

If the Existing Agreement, as amended, is terminated prior to the scheduled expiration date, the Postal Service shall promptly notify the Commission.

III. ORDERING PARAGRAPHS

It is ordered:

1. The Commission approves the Priority Mail & Parcel Select Contract 1 negotiated service agreement, as modified.
2. The Postal Service shall notify the Commission if the Existing Agreement, as modified, terminates prior to the scheduled expiration date.

By the Commission.

Stacy L. Ruble
Secretary

³ See Order No. 3222 at 5. Should both parties agree to renew the agreement, any such renewal is required to follow the requirements of 39 U.S.C. § 3633 and the Commission's implementing regulations of 39 C.F.R. part 3015.